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VANESSA LYNN FILES

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VANESSA LYNN FILES,
Plaintiff,

v.

TARGET CORPORATION, MICHAEL
JENNINGS and Does 1 through 20, inclusive,
Defendants.

Case No. 2:05-CV-00139-DFL/GGH

**STIPULATION TO CONTINUE
TRIAL AND OTHER DEADLINES,
AND ORDER THEREON**

Complaint Filed: July 23, 2004
Trial Date: July 24, 2006

Plaintiff Vanessa Lynn Files ("Plaintiff") and Defendants Target Corporation and Michael Jennings ("Defendants;" Plaintiff and Defendants and collectively referred to herein as the "Parties"), through their respective counsel of record, hereby stipulate and agree that: The Parties have agreed to mediate the case on May 18, 2006 with mediator Charles Lauderback of The Lauderback Law Firm. Accordingly, the Parties stipulate and request that the Court continue the trial, final pretrial conference, deadline for completing written discovery and depositions, and deadline for filing dispositive motions be continued for 120 days. Good cause exists to grant this request, as set forth below.

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1 Trial for this matter is currently set for July 24, 2006 at 9:00 a.m., and the final pretrial
2 conference is set for June 16, 2006. The current deadline to complete written discovery and
3 depositions, including depositions of expert witnesses, is April 30, 2006. The deadline to file
4 dispositive motions is April 12, 2006, and the date for hearing such motions is May 10, 2006.

5 The Parties are scheduled to mediate this case on May 18, 2006 with Charles Lauderback
6 of The Lauderback Law Firm, and believe there is a significant chance that mediation will be
7 successful. This case has been actively litigated which has included substantial discovery
8 including six depositions to date. The attorneys for the respective parties have worked
9 cooperatively with each other during the pendancy of this matter.

10 The parties have agreed to utilize an experienced mediator at significant expense to help
11 resolve this matter. The parties believe that continuing the above dates for mediation will
12 potentially save significant litigation costs (including additional discovery costs), and will
13 promote the chances of an informal resolution of the case.

14 If the current deadlines are not continued, Defendants will be forced to incur the expense
15 of preparing a motion for summary judgment by the April 12, 2006 deadline while
16 simultaneously preparing to mediate. The Plaintiff will also need to take additional depositions.
17 The Parties believe that those resources would be more productively invested in exploring
18 settlement at mediation.

19 Additionally, if the case does not settle, Plaintiff plans to conduct the depositions of Chet
20 Gilmartin, Marion Bilda (who resides in Florida), Stephen Fuller and Defendants' disclosed
21 expert witness Walter Palmer, and Defendants plan to conduct the deposition of Jason W. Files,
22 and the Parties will need sufficient time to conduct such additional discovery.

23 **THEREFORE, THE PARTIES, THROUGH THEIR RESPECTIVE COUNSEL OF**
24 **RECORD, HEREBY STIPULATE AS FOLLOWS:**

25 The trial of this matter and final pretrial conference currently set for July 24, 2006 at 9:00
26 a.m., the final pretrial conference set for June 16, 2006, deadline for completing written discovery

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and depositions set for April 30, 2006, and deadline for filing dispositive motions set for April 12, 2006 shall be continued for 120 days as set forth in the Court's order below.

IT IS SO STIPULATED.

Date: April __, 2006

JACKSON LEWIS LLP

By: /s/ Michael J. Christian

MICHAEL J. CHRISTIAN

JAMES T. JONES

JERRY J. DESCHLER JR.

Attorneys for Defendants

TARGET CORPORATION and MICHAEL JENNINGS

Date: April __, 2006

THE LAW OFFICES OF RANDAL M. BARNUM

By: /s/ Randal M. Barnum

RANDAL M. BARNUM

Attorneys for Plaintiff

VANESSA LYNN FILES

GOOD CAUSE APPEARING, it is hereby ordered as follows:

Trial of this matter currently scheduled for July 24, 2006 at 9:00 a.m. shall be continued to January 8, 2007 at 8:30 a.m.;

The final pretrial conference set for June 16, 2006 shall be continued to November 17, 2006 at 3:00 P.M. and the Parties joint pretrial statement shall be filed by November 9, 2006;

The deadline for completing written discovery and depositions set for April 30, 2006 shall be continued to August 4, 2006;

The deadline for filing dispositive motions set for April 12, 2006 shall be continued to September 6, 2006, with hearing set for October 4, 2006 at 10:00 A.M.; and

All other deadlines set forth in the Court's Status (Pre-trial Scheduling) Order dated March 24, 2005 shall remain as set forth in the Status Order.

IT IS SO ORDERED.

Date: 4/6/2006

/s/ David F. Levi

HON. DAVID F. LEVI

UNITED STATES DISTRICT JUDGE